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In re Application of
Hiroyuki SAITO
Application No. 09/616,672
Filed: July 14, 2000

DECISION ON PETITION
TO WITHDRAW HOLDING OF
ABANDONMENT

For: **APPARATUS AND METHOD FOR DESIGNING COMMUNICATION PATHS OF
TREE STRUCTURE**

This is a decision on the Petition to Withdraw Holding of Abandonment under 37 CFR § 1.181(a) filed December 3, 2004. No fee is required.

This application is in an abandoned status for failure to respond to the non-final Office action mailed November 19, 2003. A Notice of Abandonment was mailed September 3, 2004.

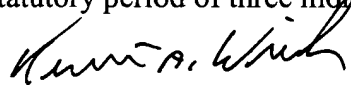
Petitioner alleges non-receipt of the non-final Office action mailed November 19, 2003. In support of the petition, petitioner has provided a statement that the office communication was not received by the petitioner. In addition, attached to and reference in the petition is a copy of the docket record where the non-received office communication would have been entered had it been received and docketed.

A review of the file finds that the U.S. Postal Service returned the original non-final Office action.

The Notice of Abandonment is vacated and the holding of Abandonment is withdrawn.

The petition is **GRANTED**.

The application file will be forwarded to the Technology Center's technical support staff for re-mailing of the non-final Office action originally mailed on November 19, 2003. The shortened statutory period of three months will be set to begin as of the mailing thereof.


Kenneth A. Wieder
Special Program Examiner
Technology Center 2600